

1                                   A bill to be entitled  
 2           An act relating to expressway authorities; amending s.  
 3           348.0003, F.S.; revising membership and qualifications  
 4           for membership on the governing body of certain  
 5           expressway authorities; providing for termination from  
 6           an authority's governing body upon a finding of a  
 7           violation of specified ethical conduct provisions or  
 8           failure to comply with a notice of failure to comply  
 9           with financial disclosure requirements; providing a  
 10          definition; providing for reorganization of such  
 11          authorities within a specified timeframe; providing an  
 12          effective date.

13  
 14   Be It Enacted by the Legislature of the State of Florida:

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 16           Section 1. Paragraph (d) of subsection (2) and paragraph  
 17          (a) of subsection (5) of section 348.0003, Florida Statutes, are  
 18          amended, and paragraphs (l), (m), and (n) are added to  
 19          subsection (5) of that section, to read:

20           348.0003 Expressway authority; formation; membership.—  
 21           (2) The governing body of an authority shall consist of  
 22          not fewer than five nor more than nine voting members. The  
 23          district secretary of the affected department district shall  
 24          serve as a nonvoting member of the governing body of each  
 25          authority located within the district. Each member of the  
 26          governing body must at all times during his or her term of

27 office be a permanent resident of the county which he or she is  
28 appointed to represent.

29 (d) Notwithstanding any provision to the contrary in this  
30 subsection, in any county as defined in s. 125.011(1), the  
31 governing body of an authority shall consist of up to nine ~~13~~  
32 members, and the following provisions of this paragraph shall  
33 apply specifically to such authority. Except for the district  
34 secretary of the department, the members must be residents of  
35 the county. Five ~~Seven~~ voting members shall be appointed by the  
36 governing body of the county. At the discretion of the governing  
37 body of the county, up to two of the members appointed by the  
38 governing body of the county may be elected officials residing  
39 in the county. Three ~~Five~~ voting members of the authority shall  
40 be appointed by the Governor. One member shall be the district  
41 secretary of the department serving in the district that  
42 contains such county. This member shall be an ex officio voting  
43 member of the authority. ~~If the governing board of an authority~~  
44 ~~includes any member originally appointed by the governing body~~  
45 ~~of the county as a nonvoting member, when the term of such~~  
46 ~~member expires, that member shall be replaced by a member~~  
47 ~~appointed by the Governor until the governing body of the~~  
48 ~~authority is composed of seven members appointed by the~~  
49 ~~governing body of the county and five members appointed by the~~  
50 ~~Governor.~~ Except as provided in subsection (5), the  
51 qualifications, terms of office, and obligations and rights of  
52 members of the authority shall be determined by resolution or

53 ordinance of the governing body of the county in a manner that  
54 is consistent with subsections (3) and (4).

55 (5) In a county as defined in s. 125.011(1):

56 (a)1. A lobbyist, as defined in s. 112.3215, may not be  
57 appointed or serve as a member of the governing body of an  
58 authority.

59 2. A person may not be appointed to or serve as a member  
60 of the governing body of an authority if that person or any  
61 member of that person's immediate family currently represents or  
62 has in the previous 4 years represented any client for  
63 compensation before the expressway authority to which that  
64 person may be appointed.

65 3. A person may not be appointed to or serve as a member  
66 of the governing body of an authority if that person or any  
67 member of that person's immediate family currently represents,  
68 is employed by, or acts as an agent for, or has in the previous  
69 4 years represented, been employed by, or acted as an agent for,  
70 any person or entity that is performing construction engineering  
71 and inspection services or construction and design-build  
72 services, or within the previous 4 years has performed  
73 construction engineering and inspection services or construction  
74 and design-build services, with the expressway authority to  
75 which that person may be appointed.

76 (1) A finding of a violation of this subsection or chapter  
77 112, or failure to comply within 90 days after receiving a  
78 notice of failure to comply with financial disclosure

79 requirements, results in immediate termination from the  
 80 governing body of the authority.

81 (m) To ensure transparency, accountability, and uniform  
 82 standards throughout the state, actions and decisions rendered  
 83 by an authority or its duly constituted committees in connection  
 84 with a procurement in excess of \$20 million is subject to the  
 85 administrative review provisions of chapter 120.

86 (n) For purposes of this subsection, the term "immediate  
 87 family" means any parent, spouse, child, or sibling of the  
 88 person serving or seeking appointment to serve as a member of  
 89 the governing body of an authority.

90 Section 2. Vacancies on the governing body of an  
 91 expressway authority subject to s. 348.0003(2)(d), Florida  
 92 Statutes, shall not be filled until the reduction in the number  
 93 of members specified by s. 348.0003(2)(d), Florida Statutes, as  
 94 amended by this act, is achieved. Within 60 days after this act  
 95 takes effect, the Governor and the governing body of the county  
 96 shall choose which members of the authority who have been  
 97 appointed by each respective entity will be removed from the  
 98 authority to achieve the composition of the governing body of  
 99 the authority specified in s. 348.0003(2)(d), Florida Statutes,  
 100 as amended by this act.

101 Section 3. This act shall take effect upon becoming a law.